

Mr. Delin Johnson  
Cargill AgHorizons  
1315 Directors Row  
Fort Wayne, IN 46808

Dear Mr. Johnson:

Re: Construction Permit Revocation  
**CP- 165-11559, Plt ID No. 165-00015**

The application from Cargill AgHorizons, received on November 9, 1999, requesting that existing Construction Permits CP 165-5310-00015, issued on July 18, 1996 and CP 165-4315-00015, issued August 18, 1995, be revoked, has been reviewed.

Pursuant to 326 IAC 2-1.1-9, the Commissioner may revoke a permit or permits if the Commissioner establishes that continuance of the permit is not consistent with the purposes of 326 IAC 2. Cargill AgHorizons has submitted an application that the source, located at 225 E. Briarwood Avenue, Dana, Indiana, 47847, will be operated under permit by rule, pursuant to 326 IAC 2-11 and that the operating requirements of the construction permit conflict with the operating requirements of 326 IAC 2-11.

Based on review of the permits and the requirements of 326 IAC 2-11, it has been determined that there are operating conditions in Construction Permit CP 165-5310-00015 (first time operating permit), issued on July 18, 1996, that do conflict with the operating permit requirements of 326 IAC 2-11. Operation condition no. 3 requires a source throughput limitation which is higher than the limitation under PBR, 326 IAC 2-11 and operation conditions no. 4 and no. 6 require that the source submit reports (quarterly reports and annual emission reporting) where PBR under 326 IAC 2-11 does not. Further, operation condition no. 4 requires record keeping, with the records being maintained for a minimum period of 24 months. PBR under 326 IAC 2-11 requires only that throughput records be kept and maintained only for the previous twelve (12) months. Also, it is determined that there are operating conditions in Construction Permit CP 165-4315-00015, issued on August 18, 1995, that do conflict with the operating permit requirements of 326 IAC 2-11. Operation conditions no. 6 and no. 7 which requires the source throughput limitations which are higher than the limitation under PBR 326 IAC 2-11 and these operating conditions were superseded by operation condition no. 3 of CP 165-5310-00015. Finally, operation condition no. 8 requires that the source submit quarterly reports where PBR under 326 IAC 2-11 does not. Based on the above conflicting requirements between the two construction permits and the PBR operating approval, Construction Permits CP 165-5310-00015, issued on July 18, 1996 and CP 165-4315-00015, issued on August 18, 1995 are hereby revoked.

Cargill AgHorizons shall therefore comply with the following:

Pursuant to 326 IAC 2-11, the source shall:

- (a) limit the annual total throughput to equal to or less than 11,200,000 bushels;
- (b) operate and properly maintain all air pollution control devices at the source;
- (c) follow generally accepted industry work practices to minimize emissions of regulated air pollutants;
- (d) not discharge air pollutants so as to create a public nuisance;
- (e) comply with all applicable federal, state, and local requirements, except as specifically provided in 326 IAC; and
- (f) keep throughput records for the previous twelve (12) months, sufficient to demonstrate that the source is in compliance with the applicable limits of 326 IAC 2-11, and make

these records available upon request by the department or U.S. EPA no later than thirty  
(30) days after receipt of a written request.

This source may become subject to the applicable requirements for a major source if at any time the source is not in compliance with the applicable requirements of 326 IAC 2-11 or if the source does not timely or adequately demonstrate compliance with the conditions in an applicable section of this rule.

Further, before the source modifies its facility or operations in such a way that it will no longer comply with the requirements of this rule, it shall submit the proper permit application before any such change may occur. Any violation of the requirements of 326 IAC 2-11 may result in administrative or judicial enforcement proceedings under IC 13-30-3.

If you have any questions on this matter, please contact Shantanu S. Pahi, at (800) 451-6027, press 0 and ask for Shantanu S. Pahi or extension 3-0868, or dial (317) 233-0868.

Sincerely,

Paul Dubenetzky, Chief  
Permits Branch  
Office of Air Management

Spahi

cc: File - Vermillion County  
Vermillion County Health Department  
Air Compliance - Marc Goldman  
Permit Tracking- Janet Mobley  
Technical Support and Modeling - Michele Boner  
Compliance Data Section - Karen Nowak

Construction Permit 099-9868-00087 is revoked, the source, located must comply with the following conditions based on applicable state rules and the requirements under Permit By Rule, 326 IAC 2-11:

Applicable State Rules:

1. Malfunction Report [326 IAC 1-6-2]

Pursuant to 326 IAC 1-6-2 (Records; Notice of Malfunction):

- (a) A record of all malfunctions, including startups or shutdowns of any facility or emission control equipment, which result in violations of applicable air pollution control regulations or applicable emission limitations shall be kept and retained for a period of three (3) years and shall be made available to the Indiana Department of Environmental Management (IDEM), Office of Air Management (OAM) or appointed representative upon request.
- (b) When a malfunction of any facility or emission control equipment occurs which lasts more than one (1) hour, said condition shall be reported to OAM, using the attached Malfunction Report Forms (2 pages). Notification shall be made by telephone or facsimile, as soon as practicable, but in no event later than four (4) daytime business hours after the beginning of said occurrence.
- (c) Failure to report a malfunction of any emission control equipment shall constitute a violation of 326 IAC 1-6, and any other applicable rules. Information of the scope and expected duration of the malfunction shall be provided, including the items specified in 326 IAC 1-6-2(a)(1) through (6).
- (d) Malfunction is defined as any sudden, unavoidable failure of any air pollution control equipment, process, or combustion or process equipment to operate in a normal and usual manner. [326 IAC 1-2-39]

2. Visible Emission Limitations [326 IAC 5-1-2]

Pursuant to 326 IAC 5-1-2 (Opacity Limitations), except as provided in 326 IAC 5-1-3 (Temporary Exemptions), opacity shall meet the following, unless otherwise stated in this permit:

- (a) Opacity shall not exceed an average of forty percent (40%) in any one (1) six (6) minute averaging period as determined in 326 IAC 5-1-4.
- (b) Opacity shall not exceed sixty percent (60%) for more than a cumulative total of fifteen (15) minutes (sixty (60) readings) as measured according to 40 CFR 60, Appendix A, Method 9 or fifteen (15) one (1) minute nonoverlapping integrated averages for a continuous opacity monitor) in a six (6) hour period.

The visible emissions limit in this condition shall be determined using Method 9 and the procedure in 40 CFR 60.11.

3. Particulate Matter (PM) [326 IAC 6-3]

- (a) Pursuant to 326 IAC 6-3 (Process Operations), the allowable PM emission rate from the grain dryer shall not exceed 14.91 pounds per hour when operating at a process weight rate of 180,000 pounds per hour.
- (b) Pursuant to 326 IAC 6-3 (Process Operations), the allowable PM emission rate from the grain loadout/receiving process shall not exceed 19.95 pounds per hour when operating at a process weight rate of 1,800,000 pounds per hour.
- (c) Pursuant to 326 IAC 6-3 (Process Operations), the allowable PM emission rate from the bin loading process shall not exceed 5.42 pounds per hour when operating at a process

- weight rate of 1,800,000 pounds per hour.
- (d) Pursuant to 326 IAC 6-3 (Process Operations), the allowable PM emission rate from the internal handling process shall not exceed 16.54 pounds per hour when operating at a process weight rate of 1,800,000 pounds per hour.

Interpolation and extrapolation of the data for the process weight rate greater than 60,000 pounds per hour shall be accomplished by the following equation:

$$E = 55.0 * P^{0.11} - 40$$

where: E = rate of emission in pounds per hour; and  
P = process weight rate in tons per hour.

4. Visible Emission Limitation [326 IAC 5-1-2]  
Pursuant to 326 IAC 5-1-2 (visible Emission Limitations) except as provided in 326 IAC 5-1-3 (Temporary Exemptions), the visible emissions from the Zimmerman column type dryer shall meet the following:
- (a) visible emissions shall not exceed an average of 40% opacity in 24 consecutive readings.
- (b) visible emissions shall not exceed 60% opacity for more than a cumulative total of 15 minutes (60 readings) in a 6-hour period.